



February 8, 2017

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: Ex Parte Presentation, Amendments to Harmonize and Streamline Part 20 of the Commission's Rules et al., WT Docket No. 16-240; *2016 Biennial Review of Telecommunications Regulations*, WT Docket No. 16-138, WC Docket No. 16-132, IB Docket No. 16-131, PS Docket No. 16-128.

On February 6, 2017, Scott Bergmann, Brian Josef, and the undersigned of CTIA met with Nese Guendelsberger, Suzanne Tetreault, Kathy Harris, and Mary Claire York of the Wireless Telecommunications Bureau to discuss the above-captioned proceedings.

During the meeting, CTIA reiterated its support for the Commission's proposal to streamline the Part 20 rules by ending the presumption that all applicants and licensees in the services identified in Part 20.9 intend to operate common carrier, Commercial Mobile Radio Service ("CMRS") operations. CTIA noted that this change would not only streamline the wireless application process, but would harmonize the rules for the services identified in Part 20.9, including Personal Communications Service, with the flexible rules adopted for other mobile wireless services, including 700 MHz band, 600 MHz band, and Advanced Wireless Service operations. This flexibility is essential to providers' ability to quickly respond to competitive forces and changing consumer needs and demands. It will also facilitate the development and deployment of innovative products and services, including next-generation 5G technologies and Internet of Things applications.

CTIA also asked that the Commission clarify that removing the common carrier presumption and undertaking conforming rule changes is not intended to disrupt wireless licensees' obligations and expectations with regard to their existing licenses. The Commission helpfully noted in the NPRM that the proposed changes to Part 20.9 are narrow and intended only to "eliminate an unnecessary burden upon certain licensees



and applicants.”¹ CTIA urged the Commission to make this intent plain in any order adopted as part of that proceeding. Additionally, the Commission should clarify that licensees may continue to offer multiple services (*i.e.*, common carrier services, non-common carrier services, or both) and that only common carrier services may be subject to common carrier regulation, consistent with the requirements of the Communications Act (“Act”).

Finally, CTIA discussed our comments in the pending Biennial Review of Telecommunications Regulations proceeding. Consistent with our comments in that docket, CTIA urged the Commission to move quickly to eliminate unnecessary and outdated regulations that are no longer in the public interest as required by Section 11 of the Act. The mobile wireless marketplace is robust and rules that create a disparity among wireless services or that fail to account for the competitive marketplace serve only to disrupt innovation and growth at the expense of consumers.

Pursuant to Section 1.1206(b) of the Commission's rules, a copy of this letter is being electronically submitted into the record of these proceedings and provided to the Commission participants. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

/s/ Kara D. Romagnino

Kara D. Romagnino
Director, Regulatory Affairs
CTIA

¹ *Amendments To Harmonize and Streamline Part 20 of the Commission's Rules Concerning Requirements for Licensees To Overcome a CMRS Presumption*, 31 FCC Rcd 8470, ¶23 (2016) (“NPRM”).